

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION X
STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

IN THE MATTER OF:

Lower Duwamish Waterway

Port of Seattle, King County,
City of Seattle, The Boeing Company,

RESPONDENTS

Proceeding Under Sections 104, 122(a),
122(d)(3) of the Comprehensive
Environmental Response, Compensation,
and Liability Act (CERCLA), as amended,
42 U.S.C. §§ 9604, 9622(a), 9622(d)(3) and Under the
Washington State Model Toxics Control Act
(MTCA), ch. 70.105D RCW.

FIRST AMENDMENT

U.S. EPA, Region 10
Docket No. CERCLA-
10-2001-0055

Ecology Docket No.
00TCPNR-1895

This First Amendment to the Administrative Order on Consent For Remedial Investigation/ Feasibility Study (AOC) for the Lower Duwamish Waterway (LDW), CERCLA Docket No. 10-2001-0055, issued on December 20, 2000, provides for the performance of the Fishers Study Scope of Work set forth below under the terms and conditions of the AOC by mutual agreement of the Parties in accordance with Section XXVI of the AOC.

This Scope of Work (SOW) for the fishers study for the Lower Duwamish Waterway (LDW) provides a general overview of the work to be performed, a list of deliverables by task, and a schedule for these deliverables.

The goal of the fishers study, consistent with the LDW Fishers Study Road Map, is to gather information from people who either consume seafood from the LDW or who may assist in understanding aspects of LDW seafood consumption in order to improve the effectiveness of the institutional controls needed regarding the seafood consumption pathway. The study is not intended to generate quantitative seafood consumption rates. In addition, risk communication/outreach measures to be implemented during or following the fisher study are not included in this scope; these measures will be explored using different mechanisms and potentially with different parties or groups.

The tasks of the fishers study are summarized in Figure 1 and described briefly below.

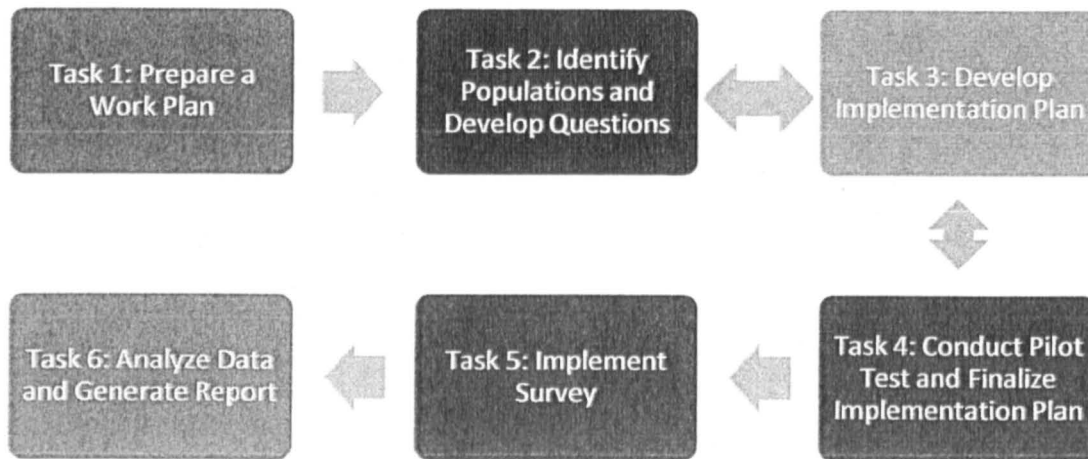


Figure 1. Tasks for the LDW fishers study

- ◆ **Task 1. Prepare a Work Plan.** LDWG will review existing data and draft a work plan for the survey. The draft work plan will be reviewed by EPA/Ecology and finalized following AOC procedures. LDWG will also notify EPA and Ecology of the names, titles, and qualifications of any contractors being used following the procedures in Section VIII of the AOC.
- ◆ **Task 2: Identify Populations and Develop Questions.** LDWG will compile a draft set of survey questions that will be discussed at a community experts workshop.
- ◆ **Task 3: Develop Implementation Plan.** LDWG will draft an implementation plan that will specify the questions to be asked and how the questions will be asked during the survey. The implementation plan will also specify the approach for the pilot test and how the results of the pilot test will be incorporated into the year-long study. The draft implementation plan will be reviewed by EPA/Ecology following AOC procedures.
- ◆ **Task 4: Conduct Pilot Test and Finalize Implementation Plan.** A small pilot test will be conducted to field test the survey to determine if any revisions are needed. Cultural competency training of interviewers will be conducted, if needed. The implementation plan will be revised by LDWG and submitted for approval by EPA/Ecology following AOC procedures.
- ◆ **Task 5. Implement Survey.** The survey will be conducted by the contractor with LDWG oversight for one year to capture seasonal variability.
- ◆ **Task 6. Analyze Data and Generate Report.** LDWG will prepare a draft data report for review by EPA/Ecology. The report will be revised as needed and finalized and approved per the AOC process. Hard copies of survey results will also be submitted (separately) with identifiers removed to protect the privacy of interviewed individuals.

Table 1 provides a schedule, by task, for the completion of deliverables for the LDW fishers study. Project deliverables will be finalized per the Administrative Order on Consent (AOC) process.

Table 1. Schedule for task deliverables

Task	Deliverable	Schedule
Task 1	Notify EPA and Ecology of contactors/subcontractors	Prior to work commencing
	draft work plan	30 working days after approval of Service Directive
	final work plan	30 working days from the receipt of EPA/Ecology comments
Task 2	none	Initiated after final approval of the work plan
Task 3	draft implementation plan	45 working days after workshop in Task 2
Task 4	final implementation plan	30 working days from the receipt of EPA/Ecology comments on revised draft
Task 5		Initiated after final implementation plan approval
Task 6	draft data report	60 working days after completion of year-long survey in Task 5
	final data report	45 working days from the receipt of EPA/Ecology comments

Note: Progress reports will be submitted monthly for the duration of the fishers study, consistent with the requirements set forth in the AOC.

Ecology – Washington State Department of Ecology

EPA – US Environmental Protection Agency


It is so ORDERED and AGREED this ____ day of _____, 2013.

By: _____
Cami Grandinetti
Program Manager
Remedial Cleanup Program
Environmental Cleanup Office
U.S. EPA, Region X

By: _____
James J. Pendowski
Program Manager
Toxics Cleanup Program
State of Washington Department of Ecology

Agreed this 4th day of March, 2013.

For Respondent Port of Seattle

By 
Title CEO

Agreed this 25th day of February 2013

For Respondent City of Seattle

By 

Title Mayor

Agreed this 20 day of FEBRUARY, 2013.

For Respondent King County

A handwritten signature in black ink, appearing to read "Dow Constantine". The signature is fluid and cursive, with a long horizontal stroke at the end.

By: Dow Constantine

Title: King County Executive

Agreed this 5th day of March, 2013.

For Respondent The Boeing Company

By Kimberly A. Smith

Title Kimberly A. Smith

Vice-President Environment, Health & Safety